

Applicant : Charles P. McShane et al.
Serial No. : 10/619,893
Filed : July 15, 2003
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Attorney's Docket No.: 08215-301003 / P06-023937

REMARKS

Applicants wish to thank the Examiner for the telephone interview conducted on June 15, 2004. This Fourth Preliminary Amendment includes amended claims and new claims that reflect at least some of the issues agreed upon in the interview.

In this preliminary amendment, claims 127, 130, 133, 136, 139, 142, 145, 148, 151, 154, 157, 160, 163, 166, 169 and 172 are amended, and claims 141, 146-147 and 156 are canceled. New claims 175-185 are added.

In amended claims 127, 130, 133, 136, 148, 151, 157, 160, 163, and 166, the term "essentially a natural food product" is replaced by "environmentally safe" as suggested by the Examiner. As further agreed in the interview, the term environmentally safe refers to a dielectric fluid that has a minimal effect on the environment and degrades quickly and easily enough so that spills will not contaminate the soil or the water table for any significant period of time, nor represent a significant hazard prior to the natural biodegradation process.¹ In agreeing to this amendment to secure rapid allowance of the claims, Applicants reserve the right to submit claims at a later date including the phrase "essentially a natural food product," "essentially food grade," "food grade" or other terms supported by the disclosure.

Independent claims 133, 136, 139, 142, 154, 157 and 160 have been amended based on agreements reached during the interview. Applicants maintain that these claims are allowable over the prior art of record without the amendments, but have made the amendments to secure more rapid allowance. New independent claims 175 and 179 are submitted based on agreements reached during the interview.

Applicants and the Examiner failed to reach agreement at this time on the allowability of the remaining claims in their present form. Nevertheless, Applicants maintain that these claims are allowable over the prior art of record and reserve the right to pursue them in the event they are not allowed at this time.

¹ See, for example, page 4, lines 5-8 of the present application; and col. 2, lines 50-57 of U.S. Patent No. 6,037,537, which is based on U.S. Serial No. 08/728,261 (incorporated by reference in the present application).

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With respect to independent claims 160 and 162, Applicants noted that the term "oleate modified" means a vegetable oil, such as high-oleic vegetable oil, in which the amount of the oleic acid component has been increased. Applicants agreed to provide background materials to support this definition, and these references will be submitted as soon as possible.

Applicant asks that all claims be examined in view of the above amendments. If questions remain regarding the above, please contact the undersigned.

Please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

Date:

June 17, 2004

M. Anne Parsons
Reg # 44,282

for H. Sanders Gwin, Jr.
Reg. No. 33,242

Fish & Richardson P.C., P.A.
60 South Sixth Street
Suite 3300
Minneapolis, MN 55402
Telephone: (612) 335-5070
Facsimile: (612) 288-9696

60224314redline.doc